

PROOF

STATE OF IOWA

House Journal

THURSDAY, MARCH 18, 2004

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JOURNAL OF THE HOUSE

Sixty-seventh Calendar Day - Forty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 18, 2004

The House met pursuant to adjournment at 8:47 a.m., Speaker Rants in the chair.

Prayer was offered by the Honorable Doug Shull, state Senator from Warren County. He was guest of Representative Mark Davitt from Warren County and Representative Jodi Tymeson from Madison County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Wednesday, March 17, 2004 was approved.

INTRODUCTION OF BILL

[House File 2544](#), by committee on ways and means, a bill for an act requiring identification numbers for all parcels of real estate, additional real estate transaction recordings, and making a fee applicable.

Read first time and placed on the **ways and means calendar**.

On motion by Gipp of Winneshiek, the House was recessed at 8:52 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 3:58 p.m., Roberts of Carroll in the chair.

The House stood at ease at 3:59 p.m., until the fall of the gavel.

The House resumed session at 4:58 p.m., Roberts of Carroll in the chair.

INTRODUCTION OF BILL

[House File 2545](#), by committee on appropriations, a bill for an act relating to state budget requirements involving the state general fund expenditure limitation and the Iowa economic emergency fund, and providing effective dates.

Read first time and placed on the **appropriations calendar**.

SENATE MESSAGES CONSIDERED

[Senate File 2153](#), by committee on appropriations, a bill for an act relating to the funding of efforts to alleviate a public health emergency or disaster.

Read first time and referred to committee on **appropriations**.

[Senate File 2257](#), by committee on commerce, a bill for an act relating to the use of credit information for underwriting or rating risks for personal insurance and providing an applicability date.

Read first time and referred to committee on **commerce, regulation and labor**.

[Senate File 2274](#), by committee on judiciary, a bill for an act relating to the revised Iowa nonprofit corporation Act and providing penalties and effective and applicability dates.

Read first time and **passed on file**.

[Senate File 2275](#), by committee on judiciary, a bill for an act relating to criminal sentencing practice and procedure.

Read first time and referred to committee on **judiciary**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

D. Taylor of Linn on request of T. Taylor of Linn.

CONSIDERATION OF BILLS
Regular Calendar

House File 2441, a bill for an act relating to the statutory duties of the commission of Latino affairs regarding Spanish language interpreter qualifications, was taken up for consideration.

Eichhorn of Hamilton offered the following amendment [H-8259](#) filed by him and moved its adoption:

[H-8259](#)

- 1 Amend [House File 2441](#) as follows:
- 2 1. Page 1, line 3, by inserting after the word
- 3 "rules" the following: ", with stakeholder input,".

Amendment [H-8259](#) was adopted.

Eichhorn of Hamilton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2441](#))

The ayes were, 95:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Bogges
Bukta	Carroll	Chambers	Cohon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greimann	Greiner
Hahn	Hanson	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Klemme	Kramer	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, S.	Osterhaus	Paulsen	Petersen
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Sands	Schickel
Shomshor	Shultz	Smith	Stevens
Swaim	Taylor, T.	Tjepkes	Tymeson
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts

The ayes were, 96:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Bogges
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greimann	Greiner
Hahn	Hanson	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Klemme	Kramer	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, S.
Osterhaus	Paulsen	Petersen	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Sands	Schickel	Shomshor
Shoultz	Smith	Stevens	Struyk
Swaim	Taylor, T.	Thomas	Tjepkes
Tymeson	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Roberts, Presiding

The nays were, none.

Absent or not voting, 4:

Maddox	Manternach	Taylor, D.	Upmeyer
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2516, a bill for an act relating to the performance of a notarial act by a chief officer when certifying a uniform citation and complaint under oath, and providing an effective date, was taken up for consideration.

Alons of Sioux moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (**H.F. 2516**)

The ayes were, 97:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Bogges
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greimann	Greiner
Hahn	Hanson	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Klemme	Kramer	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, S.	Osterhaus	Paulsen	Petersen
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Sands	Schickel
Shomshor	Shoultz	Smith	Stevens
Struyk	Swaim	Taylor, T.	Thomas
Tjepkes	Tymeson	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Roberts, Presiding			

The nays were, none.

Absent or not voting, 3:

Manternach	Taylor, D.	Upmeyer
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2517, a bill for an act relating to environmental regulations administered by the department of natural resources regarding the use of recycled oil and the calculation of waste volume reduction measures, was taken up for consideration.

Watts of Dallas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2517](#))

The ayes were, 96:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Bogges
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greimann	Greiner
Hahn	Hanson	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Klemme	Kramer	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Maddox
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, S.
Osterhaus	Paulsen	Petersen	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Sands	Schickel	Shomshor
Shoultz	Smith	Stevens	Struyk
Swaim	Taylor, T.	Thomas	Tjepkes
Tymeson	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Roberts
			Presiding

The nays were, none.

Absent or not voting, 4:

Lykam	Manternach	Taylor, D.	Upmeyer
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2441, 2450, 2516 and 2517.**

House File 2527, a bill for an act relating to the provision of a copy of a certificate of birth to a biological parent, was taken up for consideration.

Carroll of Poweshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2527](#))

The ayes were, 97:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Bogges
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greimann	Greiner
Hahn	Hanson	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Klemme	Kramer	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, S.	Osterhaus	Paulsen	Petersen
Quirk	Raeker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Sands	Schickel
Shomshor	Shoultz	Smith	Stevens
Struyk	Swaim	Taylor, T.	Thomas
Tjepkes	Tymeson	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Roberts,			
Presiding			

The nays were, none.

Absent or not voting, 3:

Manternach	Taylor, D.	Upmeyer
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

[HOUSE FILE 2209](#) WITHDRAWN

Carroll of Poweshiek asked and received unanimous consent to withdraw [House File 2209](#) from further consideration by the House.

House File 2532, a bill for an act relating to the Iowa public employees' retirement system and the judicial retirement system, and providing an effective date, was taken up for consideration.

Frevert of Palo Alto offered amendment [H-8226](#) filed by her as follows:

[H-8226](#)

- 1 Amend [House File 2532](#) as follows:
- 2 1. Page 1, by inserting before line 1, the
- 3 following:
- 4 "DIVISION I
- 5 PUBLIC SAFETY PEACE OFFICERS' RETIREMENT,
- 6 ACCIDENT, AND DISABILITY SYSTEM
- 7 Section 1. Section 97A.4, Code 2003, is amended by
- 8 adding the following new unnumbered paragraph:
- 9 NEW UNNUMBERED PARAGRAPH. Upon application by the
- 10 member, the board of trustees shall credit as service
- 11 for a member of the system a previous period of
- 12 service as a member of a city fire retirement system
- 13 and police retirement system operating under chapter
- 14 411 prior to January 1, 1992, for which service was
- 15 not eligible to be transferred to this system pursuant
- 16 to section 97A.17."
- 17 2. Title page, line 1, by inserting after the
- 18 words "relating to" the following: "the public safety
- 19 peace officers' retirement, accident, and disability
- 20 system,".
- 21 3. By renumbering as necessary.

Elgin of Linn rose on a point of order that amendment [H-8226](#) was not germane.

The Speaker ruled the point well taken and amendment [H-8226](#) not germane.

Elgin of Linn offered the following amendment [H-8262](#) filed by him and moved its adoption:

[H-8262](#)

- 1 Amend [House File 2532](#) as follows:
- 2 1. Page 1, line 22, by striking the figure
- 3 "2004", and inserting the following: "2005".
- 4 2. Page 1, by striking lines 23 through 29 and
- 5 inserting the following:
- 6 "b. Beginning on or after July 1, 2005, four and

- 7 one-tenths percent."
- 8 3. Page 1, line 32, by striking the figure
- 9 "2006", and inserting the following: "2005".
- 10 4. By striking page 1, line 34, through page 3,
- 11 line 3, and inserting the following:
- 12 "b. Beginning on or after July 1, 2005, six and
- 13 thirty-five hundredths percent."
- 14 5. Page 4, line 22, by striking the words "at
- 15 least fifty years of age" and inserting the following:
- 16 "either at least fifty-five years of age or is at
- 17 least fifty years of age with at least twenty-two
- 18 years of eligible service".
- 19 6. Page 6, line 6, by inserting after the words
- 20 "For purposes of" the following: "determining a bona
- 21 fide retirement under".
- 22 7. Page 7, by inserting after line 3 the
- 23 following:
- 24 "Sec. ____ FAVORABLE EXPERIENCE DIVIDEND RESERVE
- 25 ACCOUNT - DEPOSIT OF INVESTMENT RETURN.
- 26 Notwithstanding any provision of chapter 97B to the
- 27 contrary, the Iowa public employees' retirement system
- 28 shall have the authority to credit the lesser of the
- 29 system's actuarial interest rate assumption or the
- 30 system's actual investment return to the favorable
- 31 experience dividend reserve account created in section
- 32 97B.49F. This authority applies to the fiscal year
- 33 beginning July 1, 2003, and ending June 30, 2004."
- 34 8. Page 9, by inserting after line 3 the
- 35 following:
- 36 "Sec. ____ EFFECTIVE DATE. The section of this
- 37 Act providing for the deposit of investment return to
- 38 the favorable experience dividend reserve account,
- 39 being deemed of immediate importance, takes effect
- 40 upon enactment."
- 41 9. By renumbering as necessary.

Amendment [H-8262](#) was adopted.

Bell of Jasper offered amendment [H-8261](#) filed by him as follows:

[H-8261](#)

- 1 Amend [House File 2532](#) as follows:
- 2 1. Page 3, line 15, by striking the word
- 3 "subparagraph" and inserting the following:
- 4 "subparagraphs".
- 5 2. Page 3, by inserting after line 17 the
- 6 following:
- 7 "NEW SUBPARAGRAPH. (9) A registered nurse or
- 8 licensed practical nurse employed at a correctional
- 9 facility by the Iowa department of corrections."
- 10 3. By renumbering as necessary.

Bell of Jasper offered the following amendment [H-8274](#), to amendment [H-8261](#), filed by him from the floor and moved its adoption:

[H-8274](#)

1 Amend the amendment, [H-8261](#), to [House File 2532](#) as
2 follows:
3 1. Page 1, by striking lines 2 through 10 and
4 inserting the following:
5 "____. Page 8, line 10, by inserting after the
6 word "duties," the following: "a registered nurse or
7 licensed practical nurse employed at a correctional
8 facility by the department of corrections,".

Amendment [H-8274](#) was adopted.

On motion by Bell of Jasper, amendment [H-8261](#), as amended, was adopted.

Elgin of Linn offered amendment [H-8267](#) filed by him as follows:

[H-8267](#)

1 Amend [House File 2532](#) as follows:
2 1. Page 4, line 33, by striking the word
3 "additional" and inserting the following:
4 "~~additional~~".
5 2. Page 5, line 4, by striking the words
6 "addition to" and inserting the following: "~~addition~~
7 ~~to~~ lieu of".
8 3. Page 5, line 15, by striking the word
9 "additional" and inserting the following:
10 "~~additional~~".

Jochum of Dubuque asked and received unanimous consent to withdraw amendment [H-8272](#), to amendment [H-8267](#), filed by her from the floor.

On motion by Elgin of Linn, amendment [H-8267](#) was adopted.

Elgin of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2532](#))

The ayes were, 97:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Bogges
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greimann	Greiner
Hahn	Hanson	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Klemme	Kramer	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, S.	Osterhaus	Paulsen	Petersen
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Sands	Schickel
Shomshor	Shoultz	Smith	Stevens
Struyk	Swaim	Taylor, T.	Thomas
Tjepkes	Tymeson	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Roberts,			
Presiding			

The nays were, none.

Absent or not voting, 3:

Manternach	Taylor, D.	Upmeyer
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to, placing out of order amendment [H-8273](#) filed by Frevert of Palo Alto from the floor.

IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2527 and 2532.**

House File 2530, a bill for an act relating to the assessment of surcharges in criminal proceedings, was taken up for consideration.

Baudler of Adair moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2530](#))

The ayes were, 97:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Bogges
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greimann	Greiner
Hahn	Hanson	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Klemme	Kramer	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, S.	Osterhaus	Paulsen	Petersen
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Sands	Schickel
Shomshor	Shultz	Smith	Stevens
Struyk	Swaim	Taylor, T.	Thomas
Tjepkes	Tymeson	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Roberts, Presiding			

The nays were, none.

Absent or not voting, 3:

Manternach	Taylor, D.	Upmeyer
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2432, a bill for an act relating to the issuance of free deer and wild turkey hunting licenses to certain landowners and other persons, was taken up for consideration.

Rayhons of Hancock moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2432](#))

The ayes were, 97:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Bogges
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greimann	Greiner
Hahn	Hanson	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Klemme	Kramer	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, S.	Osterhaus	Paulsen	Petersen
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Sands	Schickel
Shomshor	Shoultz	Smith	Stevens
Struyk	Swaim	Taylor, T.	Thomas
Tjepkes	Tymeson	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Roberts, Presiding			

The nays were, none.

Absent or not voting, 3:

Manternach	Taylor, D.	Upmeyer
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2479, a bill for an act relating to the management of manure, excreta, or other commonly associated wastes of dogs kept by commercial breeders, and providing penalties, was taken up for consideration.

Paulsen of Linn offered the following amendment **H-8233** filed by him and moved its adoption:

H-8233

- 1 Amend **House File 2479** as follows:
- 2 1. Page 1, by striking lines 1 through 14, and
- 3 inserting the following:
- 4 "Sec. . **NEW SECTION.** 335.2A COMMERCIAL CANINE
- 5 OPERATIONS EXEMPT.
- 6 Except to the extent required to implement section
- 7 335.27, an ordinance adopted under this chapter does
- 8 not apply to land, residences, or other buildings or
- 9 structures which are primarily adopted, by reason of
- 10 nature and area, for use as a commercial canine
- 11 operation if the person who owns the operation is
- 12 licensed or certified by the department of agriculture
- 13 and land stewardship pursuant to section 162.8."
- 14 2. Title page, by striking lines 1 through 3, and
- 15 inserting the following: "An Act relating to the
- 16 regulation and zoning of commercial canine
- 17 operations."

Amendment **H-8233** was adopted.

S. Olson of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (**H.F. 2479**)

The ayes were, 96:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Boggess
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greimann	Greiner
Hahn	Hanson	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter

Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Klemme	Kramer	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, S.	Paulsen	Petersen	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Sands	Schickel	Shomshor
Shoultz	Smith	Stevens	Struyk
Swaim	Taylor, T.	Thomas	Tjepkes
Tymeson	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Roberts, Presiding

The nays were, none.

Absent or not voting, 4:

Manternach	Osterhaus	Taylor, D.	Upmeyer
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

[HOUSE FILE 2408](#) WITHDRAWN

S. Olson of Clinton asked and received unanimous consent to withdraw [House File 2408](#) from further consideration by the House.

IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2432, 2479 and 2530.**

Winckler of Scott rose on a point of order relating to a vote in the education appropriations subcommittee and requesting the committee reconvene.

RULE 57 SUSPENDED

Dolecheck of Ringgold asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting with the education appropriations subcommittee upon adjournment.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 18, 2004, he approved and transmitted to the Secretary of State the following bills:

[House File 2133](#), an Act requiring the lottery authority to submit budget information to the legislature.

[House File 2176](#), an Act relating to abandonment of a child as grounds for termination of parental rights.

[House File 2306](#), an Act relating to fees charged for delayed redemption of electronic gift cards.

[House File 2343](#), an Act providing for the establishment of a vaccination program for first responders, and providing an immediate effective date.

[Senate File 2059](#), an Act relating to and making appropriations of birth certificate fees for the birth defects registry and child abuse prevention programs, and providing an effective date.

[Senate File 2166](#), an Act relating to child endangerment offenses resulting in the death of a child or minor and providing a penalty.

[Senate File 2189](#), an Act conferring additional enforcement authority on the real estate commission, and providing penalties.

[Senate File 2240](#), an Act relating to temporary rate authority and rules of the Iowa Utilities Board regarding rate regulation proceedings.

[Senate File 2253](#), an Act relating to disclosure requirements for the transfer of ownership of a motor vehicle and providing penalties.

[Senate File 2261](#), an Act providing penalties for specified liquor control violations involving a retail liquor control license, wine permit, or beer permit.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARGARET A. THOMSON
Chief Clerk of the House

2004\780 Jim and Maxine Jones, Des Moines – For celebrating their 60th wedding anniversary.

2004\781 Vera Sevcik, Tama – For celebrating her 80th birthday.

- 2004\782 Stephanie Collins, Elkader – For attaining the Girl Scout Gold Award, the highest award in Girl Scouting.
- 2004\783 Molly Zapf, Littleport – For attaining the Girl Scout Gold Award, the highest award in Girl Scouting.
- 2004\784 Ashley Fangman, Elkader – For attaining the Girl Scout Gold Award, the highest award in Girl Scouting.
- 2004\785 Shannon Rodenberg, Elkader – For attaining the Girl Scout Gold Award, the highest award in Girl Scouting.
- 2004\786 Myrna Waugh, Spirit Lake – For celebrating her 100th birthday.
- 2004\787 Benita (Slo-Freight) Sankey, Jesup – For celebrating her 93rd birthday.
- 2004\788 Ann Weikert, Iowa Falls – For celebrating her 80th birthday.
- 2004\789 Clarence Wright, Ackley – For celebrating his 90th birthday.
- 2004\790 Mildred Lalk, Ottumwa – For celebrating her 80th birthday.
- 2004\791 John Brown, Ottumwa – For celebrating his 80th birthday.
- 2004\792 Barbara Snodgrass, Ottumwa – For celebrating her 80th birthday.
- 2004\793 Mary Axtell, Ottumwa – For celebrating her 80th birthday.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 399](#)

Ways and Means: Boal, Chair; Hogg and Paulsen.

[Senate File 2150](#)

Judiciary: Maddox, Chair; Dennis and Reasoner.

[Senate File 2154](#)

Public Safety: Eichhorn, Chair; Ford and Tjepkes.

[Senate File 2210](#)

Agriculture: Rayhons, Chair; Drake and Mertz.

[Senate File 2234](#)

Judiciary: Van Fossen, J.R., Chair; Hutter and Lensing.

[Senate File 2246](#)

Education: Raecker, Chair; Chambers and Wendt.

[Senate File 2280](#)

State Government: Jacobs, Chair; Mascher and Roberts.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 721](#)

Ways and Means: Kramer, Chair; Kurtenbach and Wendt.

[House Study Bill 722](#)

Ways and Means: Tymeson, Chair; Boal and Davitt.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARGARET A. THOMSON
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

[Senate File 2208](#), a bill for an act relating to the powers and duties of the department of agriculture and land stewardship, and making penalties applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment [H-8275](#)** March 18, 2004.

[Senate File 2224](#), a bill for an act relating to grain regulation.

Fiscal Note is not required.

Recommended **Do Pass** March 18, 2004.

COMMITTEE ON COMMERCE, REGULATION AND LABOR

[Senate File 2173](#), a bill for an act concerning private sector employee drug testing relating to authorized testing substances, confirmed positive test results, and testing procedures, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment [H-8276](#)** March 18, 2004.

COMMITTEE ON EDUCATION

[Senate File 2177](#), a bill for an act relating to the possession and self-administration of asthma or other airway constricting disease medication by public and accredited nonpublic school students.

Fiscal Note is not required.

Recommended **Do Pass** March 17, 2004.

[Senate File 2202](#), a bill for an act relating to meningococcal disease vaccination information for students who are enrolled in an institution of higher learning that has and on-campus dormitory or residence hall, and providing for related matters.

Fiscal Note is not required.

Recommended **Do Pass** March 17, 2004.

COMMITTEE ON GOVERNMENT OVERSIGHT

Committee Bill (Formerly **[House File 469](#)**), relating to the state fleet administrator by providing for the purchase of vehicles for use of the institutions of the board of regents, providing for the sale of state-owned motor vehicles, and making an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 18, 2004.

Committee Bill (Formerly **[House Study Bill 623](#)**), relating to competitive bidding requirements for state agencies and establishing purchasing goals from certain businesses located in this state.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 18, 2004.

COMMITTEE ON JUDICIARY

[Senate File 2193](#), a bill for an act relating to the civil commitment of sexually violent predators.

Fiscal Note is not required.

Recommended **Do Pass** March 18, 2004.

RESOLUTIONS FILED

[HCR 121](#), by Raecker, a concurrent resolution recognizing the 35th anniversary of Iowa Public Television.

Laid over under **Rule 25**.

[HR 131](#), by S. Olson and J.R. Van Fossen, a resolution recognizing the achievements of the North Scott Little League team from Eldridge, Iowa, in winning the Midwest Championship of the 2003 Little League Baseball World Series.

Laid over under **Rule 25**.

[HR 132](#), by Paulsen, a resolution honoring the town of Palo and its surrounding community on the town's sesquicentennial year.

Laid over under **Rule 25**.

[HR 133](#), by Winckler, Lykam, J.R. Van Fossen, Hutter, J.K. Van Fossen and S. Olson, a resolution honoring Dr. John T. Blong, Chancellor of Eastern Iowa Community College District.

Laid over under **Rule 25**.

[HR 134](#), by Gipp, a resolution designating April 7, 2004, as World Health Day and encouraging persons to use precautions when driving in order to protect the health and life of Iowans and visitors traveling on Iowa roads.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8269	H.F. 2523	Kuhn of Floyd Greimann of Story
H-8270	H.F. 2453	Maddox of Polk
H-8271	H.F. 2455	Carroll of Poweshiek Smith of Marshall
H-8275	S.F. 2208	Committee on Agriculture
H-8276	S.F. 2173	Committee on Commerce, Regulation and Labor

On motion by Gipp of Winneshiek the House adjourned at 6:46 p.m., until 9:00 a.m., Friday, March 19, 2004.